IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA Civil Action No. 1:20-cv-00954-WO-JLW

FARHAD AZIMA,

Plaintiff,

v.

NICHOLAS DEL ROSSO and VITAL MANAGEMENT SERVICES, INC.,

Defendants.

SUGGESTION OF SUBSEQUENTLY DECIDED AUTHORITY

Pursuant to Local Rule 7.3(i), Defendants Vital Management Inc. and Nicholas del Rosso direct the Court's attention to the attached subsequently decided authority for their motion for summary judgment: Report and Recommendation in *Azima et al. v. Dechert et al.*, 1:22-cv-08728 (S.D.N.Y. Sept. 27, 2024) (PGG, JW). Because the opinion is lengthy, Defendants invite the Court's attention to pages 78-95 dealing with damages and causation.

Respectfully submitted, this the 2nd day of October, 2024.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: <u>/s/Brandon S. Neuman</u>

Brandon S. Neuman, NCSB# 33590 Jeffrey M. Kelly, NCSB# 47269 Samuel Rosenthal (special appearance) Justin Kaplan (special appearance) George Mahfood (special appearance) 301 Hillsborough Street, Suite 1400 Raleigh, North Carolina 27603 Telephone: (919) 329-3800

Telephone: (919) 329-3800 Facsimile: (919) 329-3799

brandon.neuman@nelsonmullins.com jeff.kelly@nelsonmullins.com sam.rosenthal@nelsonmullins.com justin.kaplan@nelsonmullins.com George.mahfood@nelsonmullins.com

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this the 2nd day of October, 2024, I electronically filed the foregoing document via CM/ECF, which will send email notification to all registered users including the persons listed below:

Jonathan D. Townsend Christopher W. Jones Ripley Rand Womble Bond Dickinson (US) LLP 555 Fayetteville Street, Suite 1100 Raleigh, NC 27601 jonathon.townsend@wbd-us.com chris.jones@wbd-us.com ripley.rand@wbd-us.com Ian A. Herbert
Kirby D. Behre
Lauren E. Briggerman
Cody Marden
Calvin Lee
Miller & Chevalier Chartered
900 16th Street, N.W.
Washington, D.C. 20006
iherbert@milchev.com
kbehre@milchev.com
lbriggerman@milchev.com
cmarden@milchev.com
clee@milchev.com

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: /s/Brandon S. Neuman

Brandon S. Neuman, NCSB# 33590 Jeffrey M. Kelly, NCSB# 47269 Samuel Rosenthal (special appearance) Justin Kaplan (special appearance) George Mahfood (special appearance) 301 Hillsborough Street, Suite 1400 Raleigh, North Carolina 27603 Telephone: (919) 329-3800

Telephone: (919) 329-3800 Facsimile: (919) 329-3799

brandon.neuman@nelsonmullins.com jeff.kelly@nelsonmullins.com sam.rosenthal@nelsonmullins.com justin.kaplan@nelsonmullins.com George.mahfood@nelsonmullins.com

Counsel for Defendants